

ISLAM AND THE BOMB

RELIGIOUS JUSTIFICATION FOR AND AGAINST NUCLEAR WEAPONS

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In Memoriam

Kenneth A. Moskow

Died on 19 September, 2008, on the summit of
Mount Kilimanjaro, Tanzania, Africa

A colleague and friend, a
husband, father, son, and brother.

Ken was the CIA's point man on nuclear terrorism after 9/11. There is no one who understood the nuclear terrorism threat better than Ken. One of Harvard's own, he inspired all who knew him with his great passion, deep commitment, boundless energy, and zest for life. Like so many quiet heroes of intelligence, Ken did more to protect his country than anyone will ever know.

He is sorely missed.

AUTHOR'S NOTE

Threats cannot be fully appreciated without an understanding of the circumstances that give rise to them. Identifying and eliminating threats starts with an insider's understanding of the enemy's plans and intentions. Chinese military philosopher Sun Tzu said it best: "Know your enemy, and know yourself, and you will fight a hundred battles without catastrophe."¹

When I began this project, my goal was to develop insight into the deeper thought process behind al-Qaeda's nuclear intent. I expected to find evidence that their interest is strong, perhaps unshakable, but hinges on capability, i.e., they will use weapons of mass destruction if they are able to acquire them. Specifically, I set out to examine the impact al-Qaeda's apparent frustration in acquiring WMD has had on the group's intent; perhaps their interest has waned in recent years, or has been overtaken by global events.

I was surprised to discover that al-Qaeda's WMD ambitions are stronger than ever. This intent no longer feels theoretical, but operational. I believe al-Qaeda is laying the groundwork for a large scale attack on the United States, possibly in the next year or two. The attack may or may not involve the use of WMD, but there are signs that al-Qaeda is working on an event on a larger scale than the 9/11 attack.

When al-Qaeda number two Ayman Zawahiri published his book "*Exoneration*" in 2008, I dismissed it as the ranting of a leadership that is increasingly detached from reality. Reading various book reviews confirmed my impressions; terrorism experts dismissed "*Exoneration*" as a rather desperate, defensive reaction to a harsh critique of al-Qaeda by an imprisoned former associate.

So, I didn't bother to read the book. I only picked it up again this summer because I was searching for clues on the current status of the aborted WMD religious ruling (fatwa) that al-Qaeda issued in May 2003; I was informed that the author of that fatwa, radical Saudi cleric Nasir al Fahd, was cited in "*Exoneration*."

As I read the text closely, in the broader context of al-Qaeda's past, my concerns grew that Zawahiri has written this treatise to play a part in the ritualistic process of preparing for an impending attack. As Osama bin Laden's fatwa in 1998 foreshadowed the 9/11 attack, Ayman Zawahiri's fatwa in 2008 may have started the clock ticking for al-Qaeda's next large scale strike on America. If the pattern of al-Qaeda's modus operandi holds true, we are in the middle of an attack cycle.

Even if this theory proves to be wrong, it is better to overestimate the enemy than to underestimate him. Conventional wisdom holds that al-Qaeda is spent—that they are incapable of carrying out another 9/11. Leaving aside whether this view is correct, for which I harbor grave doubts, we will surely miss the signs of the next attack if we continue to overestimate our own successes, and dismiss what terrorists remain capable of accomplishing when they put their minds to it.

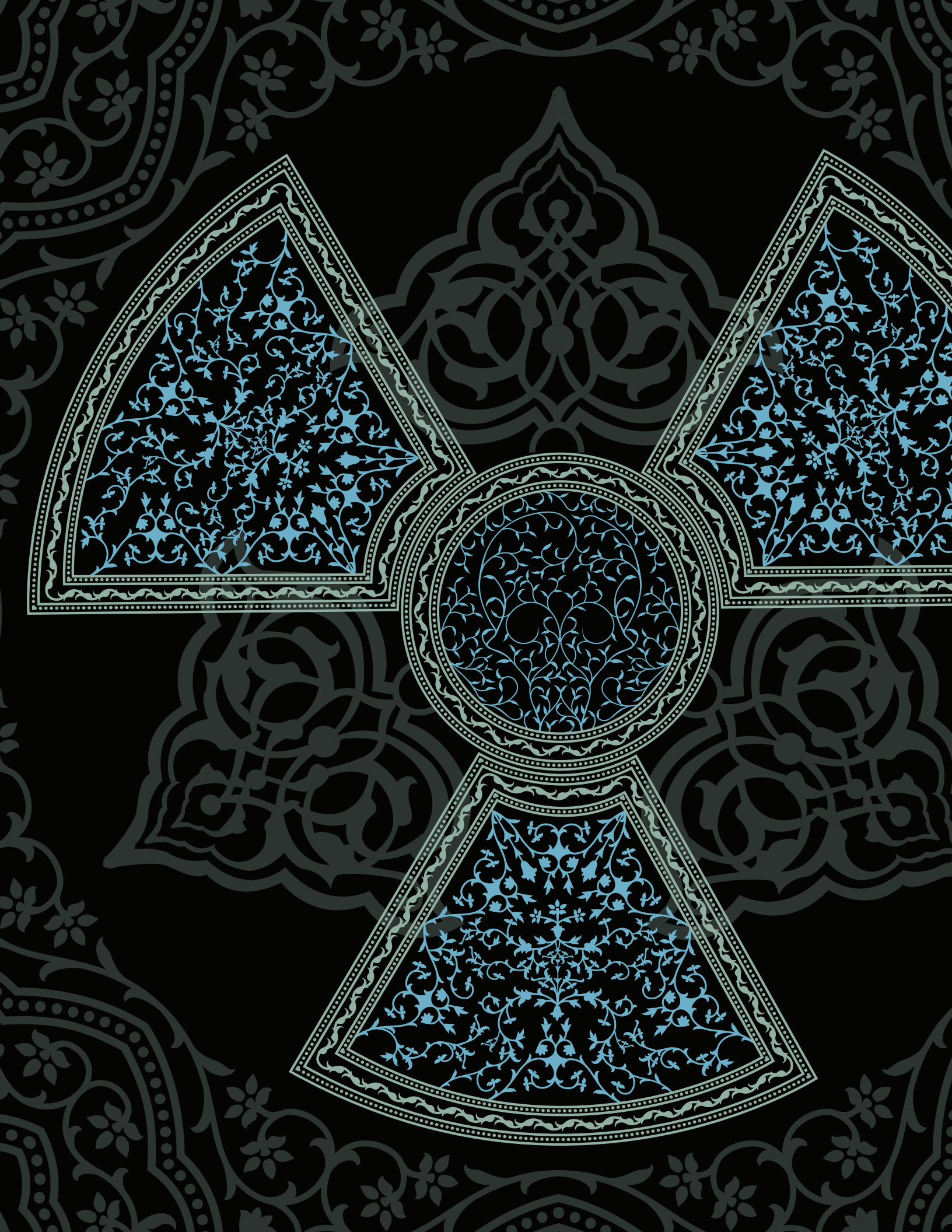
Rolf Mowatt-Larssen

January 12, 2011

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FOREWORD

It has been almost ten years since I was first charged with assessing the threat posed by terrorist use of weapons of mass destruction (WMD). I vividly recall the day, not long after 9/11, when the CIA received unequivocal intelligence that al-Qaeda was seeking the bomb. At the time, I took solace in the assumption that it was probably too difficult for them to get their hands on a nuclear weapon. I was wrong. We can not exclude the possibility of nuclear terrorism. It is not tomorrow's threat; it is with us here today. The game changing impact of a single mushroom cloud could destabilize the world order and raise fundamental doubts about the ability of governments to continue to provide security for their people.

For years, I chased leads to al-Qaeda's efforts to acquire weapons of mass destruction (WMD), without finding the answers to fundamental questions. Yes, it is clear that al-Qaeda is seeking high-end WMD, specifically nuclear and biological weapons capable of causing mass casualties. But why has al-Qaeda set their sights so high? Isn't a "dirty bomb" or a chemical device a more probable threat, since such weapons are much easier to obtain? What is al-Qaeda's justification for using WMD—how much of a factor is religion in their thinking? What can terrorists hope to achieve by indiscriminately killing people on a mass scale?

In the absence of hard data, there are few facts and too many assumptions being made about terrorist WMD plans and intentions. As an intelligence officer at heart, I try to keep an open mind when analyzing a problem, but I must confess I find it hard to shake the intuitive logic of the troubling observation of Harvard's Graham Allison in the movie, *Countdown to Zero*: "*You can't kill four million Americans by flying airplanes into buildings.*"²

Sub-state actors are the latest players on the nuclear scene, but the aspirations of states remain of high concern as well. Over many years of tracking Iran's nuclear program, I remain uncertain about the Iranian leadership's real intentions—is their quest for nuclear energy merely a cunning cover for develop-

ing nuclear weapons? Has a decision already been made to build a bomb? If so, who has made this decision, and on what basis? How important is the religious case, for or against nuclear weapons, in an Islamic theocracy? Are conflicting statements concerning the status of nuclear weapons issued by clerics and scholars signs of dissension between religious and secular authorities in Iran?

Understanding Iran's nuclear intentions assumes the added dimension of if and when Iran gets the bomb. A nuclear-armed Iran will pose new proliferation risks surrounding the possible transfer of nuclear capability and know-how from state to sub-state actors, such as Hezbollah and Hamas. Scant attention has been paid to the nuclear intent of surrogate groups and their collusion with Iranian insiders with access to nuclear facilities.

Considering the daunting challenge of divining what lies in someone's mind, my modest objective is to present a framework for analyzing key factors that impact on the religious justification under Islam for and against nuclear weapons. Al-Qaeda (Sunni extremism) and Iran (Shia theocracy) are offered as two case studies in this regard, because their potential acquisition of nuclear weapons is of greatest contemporary concern. Presenting them side by side will invite a comparison of the respective arguments of a state and sub-state actor, in both houses of Islam. However, their inclusion together in this project should not be construed as an effort to compare or equate al-Qaeda and Iran with one another, either their motivations, or in moral terms.

The sections of this report represent a compilation of the various arguments that are being made in the Islamic community today. I have endeavored to faithfully represent the views of key voices in the Muslim world, scholars, and extremists, whether they are for or against nuclear weapons—and to put their testimony on the record. For this reason, the paper contains a large number of quotes and excerpts of key lines of reasoning for and against the bomb.

I was surprised to learn that there is a lack of basic research on the issues that sit at the crossroads of nuclear proliferation, terrorism and religion. Perhaps this is due to the fact there are many experts in each of these domains, but very few experts in all three. Moreover, a nuclear attack has not happened in over half a century, perhaps reinforcing an unfortunate misperception that the dangerous interplay between states and sub-state actors in the nuclear arena is still a theoretical problem.

This report is written for expert and layperson alike. It is meant to stimulate thought, provoke questions, and most importantly, broaden public awareness concerning the threat posed

by nuclear weapons. After years of working on the problem, I have come to believe that eliminating the appeal of possessing nuclear weapons must come from people of all backgrounds and beliefs who are willing to speak out against the corrosive moral effects of these weapons of mass destruction. There is a growing global consciousness that the use of nuclear weapons can never be justified for any reason. We must nurture this feeling; rogue states and terrorists can ignore that reality, but they are not going to change it.

Despite the intrinsically depressing nature of nuclear catastrophe, I remain an inveterate optimist. We can prevent WMD terrorism and eliminate the threat. From this project, I have learned that in the Muslim world, the debate over nuclear weapons is being held in earnest, fed by a yearning for social justice and human rights, and based on sincere religious convictions. The West must fearlessly join the discourse by showcasing its values and beliefs, because we are all in this together. Truth, itself, is at stake, and in the end, it will prevail.

“There can be no peace among nations without peace among religions”

Hans Kung³



NUCLEAR WEAPONS IN THE 21ST CENTURY LIVING IN AN AGE OF THE SUPER-ENABLED INDIVIDUAL

“To me, it was a weapon of war, and artillery weapon. We faced half a million casualties trying to take Japan by land. It was either that or the atom bomb, I didn’t hesitate a minute, and I never lost any sleep over it since.”⁴

US President Harry S. Truman

It was probably not his intention in making this remark, but President Truman offered a two part justification for using a nuclear weapon to destroy two Japanese cities. First, he judged that a nuclear weapon is no different than any other weapon of war—he characterized it as an “artillery weapon.” Second, he decided that its use was necessary to win a war that had cost millions of people their lives and had wreaked utter devastation upon the world.

The consequences of unleashing the nuclear genie are still playing out. A costly and dangerous nuclear arms race that dominated events in the 20th century ended in a stalemate of mutually assured destruction between states—so called “rational actors”—who had come to realize that these weapons simply cannot be used. In the 21st century, we no longer live in the twisted comfort of deterrence and mutually assured destruction. Today, terrorists are actively seeking to buy, steal or build a single bomb that could destroy any city—and we must not exclude the possibility that one day, they may succeed.

“Just as we stood for freedom in the 20th century, we must stand together for the right of people everywhere to live free from fear in the 21st century. And as nuclear power—as a nuclear power, as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act. We cannot succeed in this endeavor alone, but we can lead it, we can start it.

So today, I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons.

I'm not naive. This goal will not be reached quickly—perhaps not in my lifetime. It will take patience and persistence. But now we, too, must ignore the voices who tell us that the world cannot change. We have to insist, “Yes, we can.”⁵

President Barack Obama, Prague, April, 2009

The world has turned full circle. Paradoxically, in this age of the super enabled individual, the world may confront a greater likelihood of nuclear catastrophe than during the Cold War. In addition to the destabilizing prospect of new states that are secretly developing nuclear weapons, a growing number of states are developing nuclear technologies and materials for weapons or peaceful purposes.⁶ This global expansion of nuclear-related activity is spawning new and unpredictable pathways to a bomb. Taking into account the increasing probability of dynamic, opportunistic interactions between states and sub-state actors, adequate foresight and early warning of nuclear threats can not be assured. Indeed, it may be inherently impossible to assess and mitigate the nuclear threats of the 21st century with the same doctrine and approaches that served the world so well in the latter half of the 20th century.

In this second nuclear age, nuclear actors straddle a single spectrum of risks, consisting of states possessing the most advanced nuclear arsenals on one end, to terrorist groups wielding a single crude improvised nuclear device on the other end. The complex transactions between states, states and groups, and groups with other groups must be identified and interpreted in order to identify any clandestine nuclear weapons-related activity that is taking place.

Nuclear threats will emanate from non obvious relationships and non-linear combinations of actors. For example, a prospective nuclear weapons-armed Iran—with the witting or unwitting involvement of the government—could become a source of proliferation to surrogate groups such as Hezbollah or Hamas. A future nuclear crisis between Iran and Israel could be precipitated by the deliberate transfer or accidental loss of control of a single Iranian bomb into the arms of a terrorist group.

Future rogue nuclear supplier networks, similar to the global network run by the father of the Pakistan nuclear weapons program, AQ Khan, might serve as a source of nuclear capabilities to a broader range of customers, including terrorist groups. In the aftermath of North Korea's clandestine effort to provide a bomb-producing nuclear facility to Syria, for example, the world should question whether there are any limits in North Korean leader Kim Jong-Il's willingness to provide nuclear weapons capabilities to other states, and even to terrorist groups.

THE ALLURE OF NUCLEAR WEAPONS

The stability of nuclear stalemate is predicated on an assumption that no rational actor will use nuclear weapons against an adversary who has the capacity to retaliate in kind. The resulting doctrine of “mutually assured destruction” might seem like madness, but it has lowered the risks of making serious miscalculations that could unleash a nuclear holocaust. States are not deterred from using nuclear weapons because of moral or ethical concerns; decision-makers make cold, hard calculations of self interest and have concluded that they cannot achieve their goals by using nuclear arsenals.

The nuclear play book needs to be re-written to take into account the emerging features of nuclear threats resulting from such broader trends as globalization, extremism, and energy demands. Calculations based on national interest will no longer constitute a sufficient basis for sustaining a viable nuclear order. Some measure of moral and ethical standards must enter into the equation, in order for a consensus to emerge among nations that must increasingly work together to mitigate nuclear-related risks.

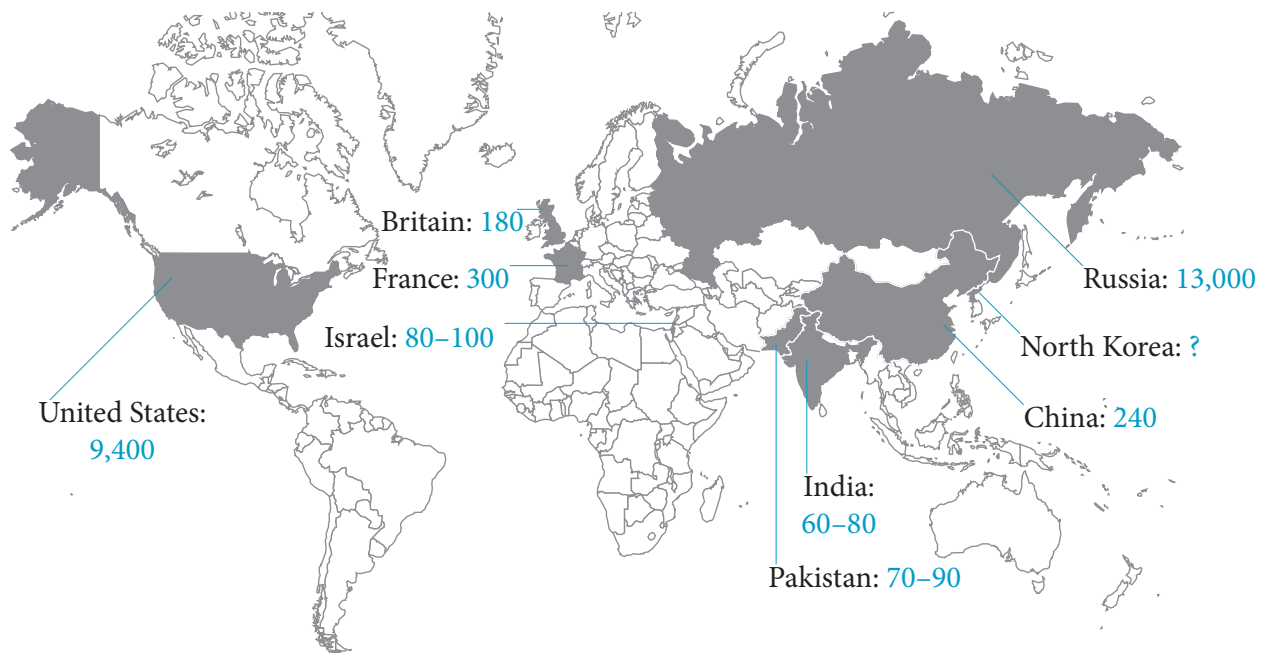
In a world brimming with the stuff of a nuclear Armageddon, can we assign different moral standards in assessing the behavior of states and sub-state actors? What does nuclear accountability and responsibility mean in the event a state were to wittingly or unwittingly provide nuclear capabilities to terrorists? Does deterrence have any meaning in influencing the nuclear ambitions of a terrorist group?

If, as President Truman suggested, the bomb is just another weapon, and its use is deemed to be the best means of achieving victory, then however unpalatable as it may sound, we must be prepared for others to use the same reasoning against us. Al-Qaeda has offered a detailed argument that the use of nuclear weapons is justifiable to win a war they declared with the “Pearl Harbor” attack on 9/11.⁷ They have challenged the world to refute them, on moral and ethical terms. Based on their statements, the al-Qaeda core is hoping they will not be joined on this field of battle, because they are convinced their enemies are reluctant to defend their moral position.

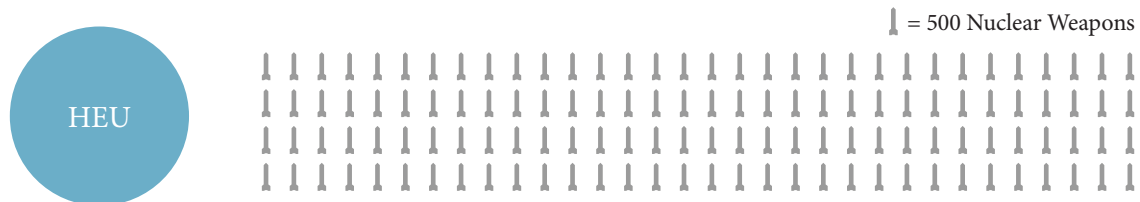
RELIGION, IDEOLOGY AND SECULARITY

“There has always been a sensitivity that we do not want to do or say anything that will allow our efforts to be mischaracterized credibly as a war against Islam.... People in the administration should be making a clear distinction between Islam, which is a religion and which is not our enemy, and extremist Islam, which is a political ideology and our enemy...The fact is our enemies fly the banner of

Estimated Global Nuclear Weapons Inventory in 2009: ~23,360⁸



In mid-2009, the global stockpile of highly enriched uranium (HEU) was about 1,600,000 kg, enough for more than 60,000 nuclear weapons.⁹



In 2009, the global stockpile of separated plutonium (Pu) was about 500,000 kg. Since the critical mass of plutonium is about one third that of HEU, however, the global stockpile of plutonium also is sufficient for more than 60,000 first-generation nuclear weapons.¹⁰



Only 25 kg of HEU or 8 kg of Pu are required to create one crude nuclear bomb.¹¹



There are currently 1,131 nuclear facilities worldwide under IAEA Safeguards.¹²

Worldwide there are hundreds of locations holding nuclear weapons or weapons-usable material,¹³ but due to the secret nature of these facilities the exact number is unknown.

Islam. They claim to represent the religion. There are other people who say they don't. What we need is to be clear about this; our enemy has an extremist political ideology. They describe the ideology as the true religion. And there is no way we can deal with this phenomenon without confronting the fact that the enemy political ideology is rooted in religion.”¹⁴

Douglas Feith

Assumptions concerning the intent to use weapons of mass destruction are often based on superficial impressions of terrorists and their cause. There is a popular notion that terrorists enjoy killing for killing's sake, that they are bloodthirsty and hateful. While at some level this may be true, making such assumptions tends to hype the threat and distort a more reliable, unemotional analysis of the problem. To be sure, nothing is scarier than the image of a mad terrorist wielding a nuke, ready to blow himself up in the name of God. Such an image, however, is a fictional embodiment of the threat. A dispassionate distinction must be drawn between the theological, ideological and secular motivations of terrorists to use WMD, and their relationship to mainstream religious views and expressions.

At the outset of such an undertaking, the extreme interpretation of Islam must be recognized as being at sharp variance from broadly accepted tenets of the Muslim faith. As Islamic religious scholar Yusuf Qaradawi noted, equating Islam with terrorism is analogous to describing the Oklahoma City bombing as being the handiwork of Christianity. Bomber Timothy McVeigh's motivation to kill hundreds of people in the name of God should not be identified with Christianity, as a religion, any more than al-Qaeda's 9/11 attack should be attributed to Islam.¹⁵

Falling prey to stereotypes about religion also trivializes militant Islam's frightening sense of purpose, which might represent the most profound danger it poses to the world. For militant Islamists, the problem is defined by religion, the conflict flows from religion, and the solution is derived from religion. In their view, the root of the problem is essentially mankind's alienation from God, the need to be reconciled with God, and Islam's role in bringing mankind back to God's good graces.

According to this religious-based analysis of history, the pervasive influence of secularity—the separation of church and state—has shrouded the world in moral and ethical darkness. The “*people of the book*” (Jews and Christians) have replaced God with mammon. Christianity has committed the unforgivable sin of polytheism by elevating Jesus Christ to the status of God (through the doctrine of Trinity). Islam itself must be revitalized; so-called “apostate” (secular) Muslim states have failed to properly implement Islamic law and tradition, depriving people of the freedom to practice the faith as God would have them practice it.

The resulting plan of action gives rise to a liberation ideology, of sorts. Individual Muslims must return to the original teachings of the Quran. Muslim lands must be restored from foreign domination. Apostate states must be replaced by implementing Islamic law and tradition. Finally, people must be liberated in all corners of the earth so they are free to embrace Islam. A vanguard of true believers, instructed in a deeper understanding of the problem, its causes, and solution, must lead the call to action. Ironically, like their arch enemy, atheist communism, militant extremists recognize that many people may not perceive what is in their best interests until they are suitably enlightened.

The ideology of militant Islamists is extreme, but it is not irrational; it is a well-reasoned, well-developed *weltanschauung*, or world view. Thus, the rational actor model can be applied to militant Islamists, who possess an internally consistent belief system. The motivation to possess and use WMD flows logically from an extreme, but very rational set of concrete goals that are based on a certain interpretation of history and religion.

The basic factors affecting a terrorist group's risk-gain assessment for using a nuclear weapon can be arrayed in a chart consisting of five broad levels of interest, motivation and justification for WMD.

Five Stages of Justification	Risks, Benefits, and Constraints
As military weapon—wield the effects of a super bomb	Is there such a limit in the means of terrorist violence that their constituency will support?
Achieve state status in power and prestige—fulfill aspirations of a state or group	Does holding state-like powers create new responsibilities and constraints on behavior?
To control events, rectify perceived grievances, and change the course of history	Would a nuclear attack work weaken one's enemies in the long run, or escalate the stakes and make them stronger?
Acquisition of nuclear weapons is a religious duty, to achieve specific ends	Can nuclear weapons be justified in the name of a religion – in the name of God? Is the argument accepted as legitimate?
Participate in religious prophecy by dispensing judgment; bring about “end of times”	Once the nuclear Pandora's box is opened, are subsequent developments predictably advantageous, or is “faith” in “God's Will” so strong it does not matter?

In applying this hierarchy of motivations to a group like al-Qaeda, it should be noted that terrorists have drawn a distinction between possession and use, at least theoretically. In 1998, for instance, Osama bin Laden said it was his Islamic duty to *possess* WMD as a means of *deterrence*. It has been assumed that if he wants such weapons, it is to use them; he has never explicitly stated that he will use them; such is assumed. Groups with a global aperture have a pronounced tendency to undertake a deliberate decision-making process to set precedent-setting events in motion, and as a result, they carefully study the consequences that their actions are likely to have on the world.

APOCALYPTIC JIHAD

“It would be nice to think that, in the war against terror, our side, too, speaks of deep philosophical ideas—it would be nice to think that someone is arguing with the terrorists and with the readers of Sayyid Qutb. But here I have my worries. The followers of Qutb speak, in their wild fashion, of enormous human problems, and they urge one another to death and to murder. But the enemies of these people speak of what? The political leaders speak of United Nations resolutions, of unilateralism, of multilateralism, of weapons inspectors, of coercion and non-coercion. This is no answer to the terrorists. The terrorists speak insanely of deep things. The antiterrorists had better speak sanely of equally deep things. Presidents will not do this. Presidents will dispatch armies, or decline to dispatch armies, for better and for worse.”¹⁶

Paul Berman

Sayyid Qutb, a devout Muslim who memorized the Quran by the time he was ten, was one of the deepest thinkers of all Sunni extremist philosophers. His ideas had a profound impact on Osama bin Laden and Ayman Zawahiri, and heavily influenced the theological and ideological underpinnings of the al-Qaeda movement.

Qutb’s provocative historical analysis, based entirely on his reading of the Quran, concluded that man can be liberated from oppression and social injustice only through Islam; and that man can achieve his full potential only through submission to God through Islam. Qutb exhorted Muslims to jihad, to serve God through action, to fix what is wrong with the world. The Egyptian radical defined the higher purpose of militant Islam: “This religion is not merely a declaration of the freedom of Arabs, nor is its message confined to Arabs. It addresses itself to the whole of mankind, and its sphere of work is the whole world.”¹⁷

In an effort to determine the limits terrorists are willing to go, to achieve their aims, it is

worth pondering what Qutb, if he lived today, would make of al-Qaeda's global jihad. In his prolific writings, Qutb described a utopian world that had resolved the contradictions of human nature and modern life, had harmonized the secular with the sacred, and existed to exalt God. To fulfill his vision, he advocated terrorist violence to overthrow the morally bankrupt global status quo. Would the "martyred" activist approve of nuclear holocaust as an instrument of fulfilling his vision of man's higher purpose?

In the shadow of Qutb's thoughts, the religious basis for using weapons of mass destruction resonates deeply with some rejectionist Islamists, probably because these weapons offer the prospect of scaling otherwise insurmountable summits. For apocalyptic thinkers such as Osama bin Laden, Ayman Zawahiri and Aum Shinryko cult leader Shogo Asahara, nuclear weapons represent the enabling element in waging a struggle in which ordinary rules of conduct do not apply. In such terms the religious pre-justification of WMD is required as part of a ritualistic process for introducing new rules into the conflict. Apocalyptic jihadists hope a nuclear attack would be seen by their constituency as a clear sign that "God is on our side" — victory is at hand.

When nuclear weapons are sought in the name of a higher purpose, it is no longer possible to mask the intention to obtain and use them, even for the sake of preserving secrecy and an element of surprise for an attack. Shogo Asahara announced his intentions in advance by prophesying that nuclear weapons would spark an Armageddon that would destroy a corrupt world order. He settled on using chemical weapons only after all efforts to buy or build a nuclear bomb had failed.¹⁸ The Japanese cult leader explained why using nuclear weapons would be morally cleansing: "...if the persons killed are scoundrels, or enmeshed in social systems so evil that their further existence in this life will result in even greater Karmic debt, then those who kill are doing their victims a kind of favor by enabling them to die early. Their early deaths would be a kind of mercy killing, allowing their souls to move to a higher level than they otherwise would have been allowed to achieve."¹⁹

For Osama bin Laden, one bomb would represent a symbolic and credible fulfillment of his promise to destroy the US economy. To that end, the al-Qaeda leader considered it a moral duty to pre-justify a mass casualty attack that will kill men, women and children indiscriminately. Al-Qaeda's serial warnings of impending attacks arise from the group's obligation to give ample opportunity for the target audience to convert to Islam. The al-Qaeda leader makes this point clear in his ominous warning to all Americans in 2007. "I invite you to embrace Islam, for the greatest mistake one can make in this world and one which is uncorrectable is to die without surrendering to Allah."²⁰

THE COURT OF PUBLIC OPINION

“Conventional wisdom holds that organizations such as al-Qaeda can not be deterred because they are not focused on self preservation, do not value human life as most state leadership do, do not have territory over whose sovereignty they wish to preside, and live as parasites on relatively innocent bodies of host communities that cannot be justified to be targeted for massive reprisal. However, this assumption should be questioned logically and empirically....Terrorist organizations, including al-Qaeda and Hezbollah evince a strong commitment to justice as they perceive it. Wanting others to see the justice of their cause requires some constraint on behavior so as to win sympathy with their constituencies and with those in the international community that they are trying to influence.”²¹

Andrea Phlebani

Extreme religious views deeply influence nuclear intent, but terrorists also have pragmatic goals to consider. Like states, Islamist extremists seek sovereignty, status, and prestige. They seek to deter their enemies from attacking them. They aspire to hold territory, and to govern.

Ayman Zawahiri has repeatedly stressed that in order for al-Qaeda to flourish, the movement must develop a vanguard of believers and build popular support for its ideology.²² Presumably, such considerations also introduce constraints in employing weapons that may well change the game in ways that are inimical to their objectives.

Yet, the leadership’s unwavering commitment to WMD suggests that they have taken all these considerations into account, and have determined that the benefits of WMD outweigh the risks. The evidence of al-Qaeda’s efforts to acquire WMD for over a decade overwhelmingly suggests that the senior leadership’s intent is focused on developing high end WMD, not chemical weapons or “dirty bombs” that lack the game changing qualities of nuclear or biological weapons. In this context, a possible explanation of Zawahiri’s puzzling cancellation of a small scale chemical attack on the New York City subway in 2003 is that it simply wasn’t worth doing.²³

Or, perhaps Zawahiri recalled the impatience of Shogo Asahara, who failed to fulfill his prophecy to bring down the Japanese government by launching a hastily planned chemical attack on the Tokyo subway.²⁴ Al-Qaeda is not likely to make the same mistake. Pakistani journalist Hamid Mir hinted as much when he noted that whatever one thinks of al-Qaeda, “they always do what they say they are going to do”.²⁵ Mir, who has interviewed Osama bin Laden and Zawahiri, added that the al-Qaeda leader’s favorite Quranic verse is: “I will be patient until patience is outworn by patience.”²⁶

Yet, it is quite conceivable that al-Qaeda is seriously underestimating the likelihood of negative popular reaction to a WMD attack. The group's leadership has made such mistakes in the past. For instance, al-Qaeda leader in Iraq, Abu Musab al-Zarqawi, launched a campaign to incite civil war between Sunni and Shia in Iraq that was so excessively violent that it turned the Iraqi population against al-Qaeda. After Zarqawi was killed by US forces in 2006, the senseless violence tapered off, but Al-Qaeda never recovered its former position.²⁷

Ayman Zawahiri's efforts to convince al-Zarqawi that violence had become counter-productive might have been drawn from his own experiences in Egypt, where he suffered a similar dissociation from the people's mood. As the author Lawrence Wright explained:

The Luxor Massacre took place on 17 November 1997 in Luxor, Egypt. Ayman Zawahiri, Mustafa Hamza, the new emir of the Islamic Group, and Rifai Ahmed Taha, the military leader of the Islamic Group, all hoped a massive terror attack would devastate the Egyptian economy and provoke the government into repression that would kill the initiative and strengthen support for anti-government terrorism.

The massacre, however, marked a decisive drop in Islamic terrorists' fortunes in Egypt by turning Egyptian public opinion overwhelmingly against them. Organizers and supporters of the attack reacted with denial. The day after the attack, Rifai Taha claimed the attackers intended only to take the tourists hostage, despite the evidence of the immediate and systematic nature of the slaughter. Others denied Islamist involvement completely. Ayman Zawahiri maintained the Egyptian police had done it.²⁸

Zawahiri's misreading of the public's appetite for violence played a significant role in the diminution of his group's influence in Egypt. Today, the Egyptian Muslim Brotherhood is vying for power through the electoral process. Not surprisingly, Zawahiri has denounced this decision in the course of an acrimonious series of public exchanges with his old colleagues.²⁹ For the old Egyptian terrorist leader, the new position adopted by the Muslim Brotherhood, explicit or implied, is tantamount to a rejection of al-Qaeda's strategy and tactics; as such, it represents a potential foreshadowing of al-Qaeda's waning influence globally.

Such concerns about their future as a global movement may help explain why the al-Qaeda core leadership seems more determined than ever to ratchet up the level of violence as far as it will go. Al-Qaeda's core statements and actions that endorse ever increasing levels of violence do not appear to be resonating with the Muslim street. Given such a state of mind, free of the distractions of running a large organization, what kind of decisions are two fading, self-radicalized, and isolated figures likely to make?

A vertical decorative border on the left side of the page, featuring intricate Islamic geometric and floral patterns in shades of blue, green, and gold on a dark background.

THE QURAN AND WEAPONS OF MASS DESTRUCTION

Appendix A provides background information on the Quran and Islamic tradition from the Oxford Dictionary of Islam.

Although there were no nuclear weapons in the 7th century, when the Prophet Muhammad received the Quran (“recitation”), it provided an absolute standard for Muslims to judge the morality of these modern weapons as a potential means of waging war, and by extension, their use as an instrument of terrorist violence.

Proponents and opponents alike largely agree on the fundamental concepts and relevant legal precedents for weighing the permissibility of possessing and using WMD. Both sides tend to cite the same references in the Quran, and associated hadiths, often drawing opposite conclusions in their interpretation of their meaning. There can be no contradiction in God, so the problem must lie in the selective use of verses to argue a case, specifically when the text is taken out of context and loses its true meaning.

For example, in the second surah, or chapter, of the Quran, two verses appear to stand in marked contrast to one another. In the first, God encourages the Muslims to “*fight them until there is no persecution and the religion is Allah’s*.”³⁰ In the other, God tells the Prophet Muhammad not to impose Islam by force, because “*there is no compulsion in religion*.” Various hadiths and legal rulings handed down over centuries have clarified the meaning of such verses in ways that reflect the internal consistency of the Quran.

Like the Holy Bible, and Torah, the Quran must be read and interpreted holistically, for its Truth to be revealed.

NONCOMBATANT IMMUNITY

In Islamic law, the legitimacy of a target in war is typically determined by the capacity of the target country or individual to fight against Muslims. This includes enemy soldiers and leaders, as well as advisers to the military and the enemy leadership, even civilian advisers. The vast majority of civilians, however, are excluded from target lists because they are not actively engaged in battle, especially women, children and the elderly, whose capacity to fight is considered minimal in most cases. On the basis of the Quran and the Sunnah (Way of the Prophet), rules have been enunciated to forbid Muslims to kill noncombatants.³¹ For example, the Quran has, at minimum, acknowledged the notion of limits during the conduct of conflict.

“Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah loveth not transgressors.” (2:190)

In addition, the Quran makes clear that believers are not ever to be purposefully killed.

“If a man kills a believer intentionally, his recompense is Hell, to abide therein (For ever): And the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him.” (4:93)

Military engagements must distinguish between the innocent and the guilty, while applying a minimum of force to achieve the objective.³² Moreover, the hadiths note that the Prophet relayed specific instructions on sparing the lives of noncombatants.

‘Do not kill a decrepit old man, or a young infant, or a woman ...’³³

Eminent jurist Muhammad ibn al-Hasan al-Shaybani in his *Kitab al-Siyar* (book of conduct), drawing on a number of hadith, wrote that the Prophet forbade treachery, mutilation, and the killing of women and children.

‘He (of the enemy) who has reached puberty should be killed, but he who has not should be spared ... You may kill the adults of the unbelievers, but spare the minors—the youth ... The Apostle of God prohibited the killing of women ... nor should you mutilate or kill children, women, or old men.’³⁴

The first Caliph (successor to the Prophet Muhammad), Abu Bakr, referenced this principle in the delivery of a speech to the Muslim armies assembled for the invasion of Syria in 632.

“Do not commit treachery or deviate from the right path. You must not mutilate dead bodies. Neither kill a child, nor a woman, nor an aged man. Bring no harm to the trees, nor burn them with fire ... Slay not any of the enemy’s flock, save for food. You are likely to pass by people who have devoted their lives to monastic services, leave them alone.”³⁵

In the following centuries, some interpretations drew distinctions between the innocent and the guilty through the lens of those who were polytheists and those who were not, and, for example, interpreting the application of the Prophet’s prohibition on the killing of women and children as one only applying to Jews and Christians.³⁶ As the tradition developed, Muslim scholars had occasion to confront a variety of questions raised by battlefield experience. They knew, for example, about “collateral damage,” about killings covered by the rule of double effect and other categories familiar from the just war tradition. Their treatments of these suggest that the best way to understand the prophetic sayings is as follows: No one fighting in an Islamic cause should ever directly and intentionally target noncombatants.³⁷ The earlier reports of the Prophet and Islamic traditions, however, form the foundation for Islamic reasoning about particular issues regarding appropriate conduct in times of conflict.

PROPORTIONALITY

According to the Quran, the notion of proportionality is a recognized principle in Islam. A criminal is dealt a punishment equal to the crime committed. While equal retaliation is sanctioned, showing patience is considered the better course of action. Those who follow such restraints will be aided by Allah.

O ye who believe! the law of equality is prescribed to you in cases of murder: the free for the free, the slave for the slave, the woman for the woman. But if any remission is made by the brother of the slain, then grant any reasonable demand, and compensate him with handsome gratitude, this is a concession and a Mercy from your Lord. After this whoever exceeds the limits shall be in grave penalty. (2:178)

The recompense for an injury is an injury equal thereto (in degree): but if a person forgives and makes reconciliation, his reward is due from Allah.

“for (Allah) loveth not those who do wrong.” (42:40)

“And if ye do catch them out, catch them out no worse than they catch you out:
But if ye show patience, that is indeed the best (course) for those who are patient”.
(16:126)

For Allah is with those who restrain themselves, and those who do good. (16:128)

And if one has retaliated to no greater extent than the injury he received, and is again set upon inordinately, Allah will help him: for Allah is One that blots out (sins) and forgives (again and again). (22:60)

DETERRENCE

The Quran may also instruct Muslims to develop a deterrent to war, by amassing the strength in numbers and/or arms to have such an effect on their enemies:

“Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and your enemies, and others besides, whom ye may not know, but whom Allah doth know. Whatever ye shall spend in the cause of Allah, shall be repaid unto you, and ye shall not be treated unjustly.” (8:60)

If one were to subscribe to the hadith mentioned above and the words of Abu Bakr, one would find it hard to make a case to use a weapon of war that causes general destruction, whereby the killing of women, children, the elderly, even believers, would be inevitable. The sayings and deeds as transmitted through early reports have been reinterpreted over and over for centuries to the point where al-Qaeda is now claiming that religious considerations trump the idea of collateral damage; *unintentional* harm allows for the killing of all those mentioned above; and there is considerable leeway and discretion underpinning the idea of military necessity. In this context al-Qaeda interprets the story of the Prophet using a catapult against the village of Ta'if—which, by design, is incapable of distinguishing the guilty from the innocent. This story has been reiterated by scholar after scholar and in fatwa after fatwa, including

both Saudi radical cleric Nasir al-Fahd and Ayman Zawahiri, and it seems to be one of the only examples they cite when justifying such general destruction.

Thus, Islamist militants consider retaliation, and like-for-like, as being both broadly acceptable and encouraged under the Quran, but only in a strictly “defensive manner.” The argument boils down, then, to a definition of what constitutes “defensive” action. The Quran has a clear injunction against taking offensive action; one can, and perhaps should, only punish them the way in which they have punished you.

This implies that WMD simply cannot be used as a first-strike engagement, but it can potentially be used in retaliation for use in kind. This seeming allowance for WMD, however, begins to blur in the light of the Quran’s clear injunctions against killing the aged, women and children; how can one retaliate with a weapon that will inevitably cause such damage? Questions over what sort of guidance trumps another form of guidance will inevitably spark discussion. You cannot be for both rules given their contradiction, especially in the context of WMD. It is clear where al-Qaeda stands on the rule they have chosen, but it’s hard to find a Quranic justification for using WMD as a first-strike weapon, even before one decides whether or not noncombatant immunity applies.

There has also been some discussion on 8:60 and its interpretation as one that characterizes the notion of deterrence. If this is the case, possession of WMD does not equal use, though it may certainly be allowed to possess. That being said, even if one does possess such weapons, one can only seem to use them in retaliation if they were attacked with the same weapon. This, however, is a fragment of a much larger discussion on which considerations trump others in the context of war. Also, the statement by Abu Bakr to his Muslim armies before invading Syria, makes clear note that it is not permissible to burn trees, destroy agriculture, and in another translation (perhaps a longer one) not even harm animals of any kind—this can certainly be applied to the WMD context, for such a weapon is bound to cause exactly this kind of damage, in addition to killing noncombatants.

RELIGIOUS RULINGS (FATWA)

An Islamic legal ruling, or “fatwa,” has a special importance in the debate for and against WMD. It is accepted in the Islamic community that only religious authorities can rule on

moral and ethical matters. This is salient in defining rules of war. Militant Islamists feel a compunction to seek legal rulings (fatwa) to support their argument that that they are engaged not in terrorism, but in war; that it is a just war because the enemy is the aggressor; and that their means of waging war are justified under Islam. Called “Usul al-fiqh” (Principles of Jurisprudence), a fatwa is binding when these four conditions are satisfied:

- It is in line with relevant legal proofs, deduced from Quranic verses and Hadiths;
- It is issued by a person (or a board) having due knowledge and sincerity of heart;
- It is free from individual opportunism, and not depending on political servitude;
- It is adequate with the needs of the contemporary world.³⁸